

April 1, 2020

**Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)**

**Foss Creek Pathway Segments 7 and 8 Project**

**ECM PIN CW-860086; WDID 1B190101WNSO  
Sonoma County**

On July 29, 2019, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Jemma Williams of WRA on behalf of Larry Zimmer, City of Healdsburg (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities related to the proposed Foss Creek Pathway Segments 7 and 8 Project (project).

**Project Location**

The project parallels Foss Creek between Monte Vista Avenue and Grove Street in Healdsburg, at latitude 38.62611111°N and longitude 122.87416667°W. The proposed project would cause disturbances to jurisdictional wetlands and Foss Creek, within the Middle Russian River hydrologic area (114.24).

**Project Description**

The purpose of the project is to extend the Foss Creek Pathway approximately 0.88 miles to the north of the existing trail. The project will involve constructing an 8-10 foot-wide asphalt concrete pathway connecting to the existing pathway at the Carson Warner Memorial Skate Park. A 10 foot-wide, 60 foot-long prefabricated steel truss pedestrian bridge will be installed to span Foss Creek. The pathway will continue north to Dry Creek Road.

The pathway has been sited to avoid impacts to wetlands and trees. Approximately 0.05 acre of seasonal wetlands cannot be avoided and will be permanently filled. Approximately 5 riparian trees are proposed for removal. The application lists avoidance and minimization measures to limit impacts to jurisdictional features, including constructing the pedestrian bridge during the dry season between April 15 and October 31.

**Construction Timing**

Construction is expected to occur between May 15 and October 31, 2021.

**Impacts**

Approximately 0.05 acre of seasonal wetlands would be permanently filled for construction of the pathway. Additionally, approximately 0.11 acre of riparian impacts are expected, including for installation of the pedestrian bridge over Foss Creek.

## **Mitigation for Project Impacts**

The applicant will purchase wetland creation credits from Hazel Mitigation Bank at a minimum ratio of 1:1 impacts to mitigation. Credits from Hazel were found to be acceptable even though the project is approximately 1.5 miles outside the service area of the bank. It was determined that offsite mitigation from a bank is preferable to permittee responsible wetland creation along the pathway in the city's narrow right-of-way.

The applicant will also comply with the Habitat Mitigation and Monitoring Plan (HMMP) prepared by WRA and submitted on March 5, 2020. The HMMP includes 0.22 acres of riparian enhancement both onsite and on a tributary to Foss Creek, and enhancement and stabilization of the banks of Foss Creek in the vicinity of the new pedestrian bridge.

## **Other Agency Permits**

The applicant has received authorization from the United States Army Corps of Engineers for Nationwide Permit 42, *Recreational Facilities*, pursuant to section 404 of the Clean Water Act. The applicant has also submitted a section 1600 Notification of Lake or Streambed Alteration to the California Department of Fish and Wildlife.

## **CEQA**

As lead agency, the City of Healdsburg certified a Mitigated Negative Declaration (SCH 2006072072), pursuant to the requirements of the California Environmental Quality Act (CEQA). A supplemental Mitigated Negative Declaration was filed on April 8, 2019.

## **Public Comments**

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions or comments, please contact staff member Kaete King at (707) 576-2848 or [Kaete.King@waterboards.ca.gov](mailto:Kaete.King@waterboards.ca.gov) within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed activities. The Regional Water Board's project file includes the application for certification and additional details of the proposed project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.